

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-02900-CJN**

COMPETITIVE ENTERPRISE INSTITUTE v. UNITED STATES DEPARTMENT OF ENERGY  
Assigned to: Judge Carl J. Nichols  
Cause: 05:552 Freedom of Information Act

Date Filed: 12/11/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**COMPETITIVE ENTERPRISE INSTITUTE**

represented by **Charles Devin Watkins**  
COMPETITIVE ENTERPRISE  
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V.

**Defendant**

**UNITED STATES DEPARTMENT OF ENERGY**

represented by **John Moustakas**  
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*TERMINATED: 08/07/2019*

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*TERMINATED: 02/07/2019*

Date Filed	#	Docket Text
12/11/2018	<u>1</u>	COMPLAINT against DEPARTMENT OF ENERGY ( Filing fee \$ 400 receipt number 0090-5833163) filed by COMPETITIVE ENTERPRISE INSTITUTE. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Attorney General, # <u>3</u> Summons

		District Attorney, # <u>4</u> Summons Department of Energy)(Watkins, Charles) (Entered: 12/11/2018)
12/12/2018		Case Assigned to Judge Reggie B. Walton. (zsb) (Entered: 12/12/2018)
12/12/2018	<u>2</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF ENERGY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 12/12/2018)
12/21/2018	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/17/2018. ( Answer due for ALL FEDERAL DEFENDANTS by 1/16/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF ENERGY served on 12/17/2018, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/17/2018. (Watkins, Charles) (Entered: 12/21/2018)
01/16/2019	<u>4</u>	Unopposed MOTION to Stay , Unopposed MOTION for Extension of Time to <i>All Deadlines</i> by UNITED STATES DEPARTMENT OF ENERGY (Attachments: # <u>1</u> Text of Proposed Order)(Pfaffenroth, Peter) (Entered: 01/16/2019)
01/18/2019		MINUTE ORDER. Upon consideration of the <u>4</u> Unopposed Motion to Stay Proceedings and for Extension of Time in Light of Lapse in Appropriations, and for good cause shown, it is hereby ORDERED that the motion is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED to the extent that the government seeks to vacate the impending deadlines in this case. The motion is DENIED in all other respects. It is further ORDERED that the impending deadlines in this case are VACATED pending further Order of the Court. It is further ORDERED that, on or before January 28, 2019, the parties shall file a joint status report regarding how this case shall proceed. Signed by Judge Reggie B. Walton on January 18, 2019. (lcrbw3) (Entered: 01/18/2019)
01/18/2019		Set/Reset Deadlines: Joint Status Report due by 1/28/2019 (hs) (Entered: 01/18/2019)
01/23/2019		MINUTE ORDER. In light of the continued lapse in appropriations, it is hereby ORDERED that the previously imposed deadline for filing a joint status report on or before January 28, 2019, is VACATED. It is further ORDERED that, on or before fourteen days after appropriations have been restored, the parties shall file a joint status report proposing new deadlines in this case. Signed by Judge Reggie B. Walton on January 23, 2019. (lcrbw3) (Entered: 01/23/2019)
02/07/2019	<u>5</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Melanie Dyani Hendry on behalf of UNITED STATES DEPARTMENT OF ENERGY Substituting for attorney AUSA Peter C. Pfaffenroth (Hendry, Melanie) (Entered: 02/07/2019)
02/08/2019	<u>6</u>	PROPOSED BRIEFING SCHEDULE by UNITED STATES DEPARTMENT OF ENERGY. (Hendry, Melanie) Modified event title on 2/8/2019 (znmw). (Entered: 02/08/2019)
02/08/2019	<u>7</u>	ENTERED IN ERROR.....PROPOSED BRIEFING SCHEDULE by UNITED STATES DEPARTMENT OF ENERGY; (See docket entry no. <u>6</u> to view.) (ztd) Modified to enter in error as a duplicate of <u>6</u> on 2/8/2019 (znmw). (Entered: 02/08/2019)
02/14/2019		MINUTE ORDER. Upon consideration of the parties' <u>6</u> Proposed Schedule, and for good cause shown, it is hereby ORDERED that, on or before February 22, 2019, the defendant shall file its response to the plaintiff's Complaint. It is further ORDERED that, on or before March 1, 2019, the parties shall file a joint status report regarding the defendant's progress in processing the FOIA request at issue in this case. Signed by Judge Reggie B. Walton on February 14, 2019. (lcrbw3) (Entered: 02/14/2019)
02/14/2019		Set/Reset Deadlines: Answer to the complaint due by 2/22/2019, Joint Status Report due by 3/1/2019 (hs) (Entered: 02/14/2019)
02/22/2019	<u>8</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF ENERGY.(Hendry, Melanie) (Entered: 02/22/2019)

03/01/2019	<u>9</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF ENERGY. (Hudak, Brian) (Entered: 03/01/2019)
03/05/2019		MINUTE ORDER. Upon consideration of the parties' <u>9</u> Joint Status Report, and for good cause shown, it is hereby ORDERED that, on or before May 1, 2019, the parties shall file a joint status report regarding the defendant's progress in processing the FOIA request at issue in this case. Signed by Judge Reggie B. Walton on March 5, 2019. (lcrbw3) (Entered: 03/05/2019)
03/05/2019		Set/Reset Deadlines: joint status report regarding the defendant's progress in processing the FOIA request at issue due by 5/1/2019 (hs) (Entered: 03/05/2019)
04/09/2019	<u>10</u>	GENERAL ORDER FOR CIVIL CASES BEFORE THE HONORABLE REGGIE B. WALTON. Signed by Judge Reggie B. Walton on April 9, 2019. (lcrbw3) (Entered: 04/09/2019)
04/30/2019	<u>11</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF ENERGY. (Hendry, Melanie) (Entered: 04/30/2019)
05/03/2019		MINUTE ORDER. Upon consideration of the parties' <u>11</u> Joint Status Report, and for good cause shown, it is hereby ORDERED that, on or before June 20, 2019, the parties shall submit to the Court a joint status report apprising the Court of the status of the defendant's progress in processing the plaintiff's request and proposing a schedule for how this case should proceed. Signed by Judge Reggie B. Walton on May 3, 2019. (lcrbw3) (Entered: 05/03/2019)
05/06/2019		Set/Reset Deadlines: Joint Status Report due by 6/20/2019 (hs) (Entered: 05/06/2019)
06/20/2019	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF ENERGY. (Hendry, Melanie) (Entered: 06/20/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Reggie B. Walton is no longer assigned to the case. (rj) (Entered: 06/24/2019)
08/07/2019	<u>13</u>	NOTICE OF SUBSTITUTION OF COUNSEL by John Moustakas on behalf of UNITED STATES DEPARTMENT OF ENERGY Substituting for attorney Melanie Hendry (Moustakas, John) (Entered: 08/07/2019)
08/13/2019		MINUTE ORDER. In light of the Parties' <u>12</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by August 23, 2019. Signed by Judge Carl J. Nichols on August 13, 2019. (lccjn1) (Entered: 08/13/2019)
08/14/2019		Set/Reset Deadlines: Additional Joint Status Report due by 8/23/2019. (mac) (Entered: 08/14/2019)
08/23/2019	<u>14</u>	Joint STATUS REPORT by COMPETITIVE ENTERPRISE INSTITUTE. (Watkins, Charles) (Entered: 08/23/2019)
08/27/2019		MINUTE ORDER. In light of the Parties' <u>14</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by October 31, 2019. Signed by Judge Carl J. Nichols on August 27, 2019. (lccjn1) (Entered: 08/27/2019)
08/27/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/31/2019. (zcdw) (Entered: 08/28/2019)